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Drug driving legislation in The Netherlands

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There have been plans for legal limits for drug driving in the Netherlands for a long period.

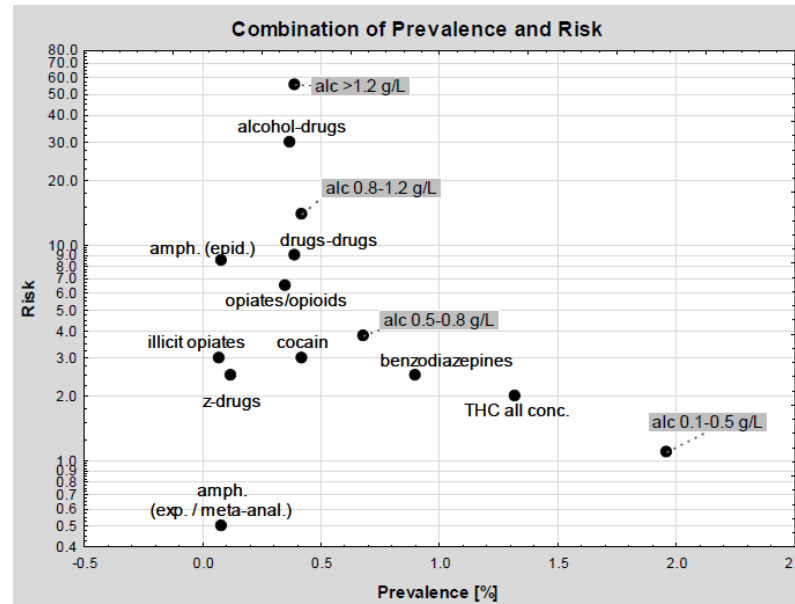
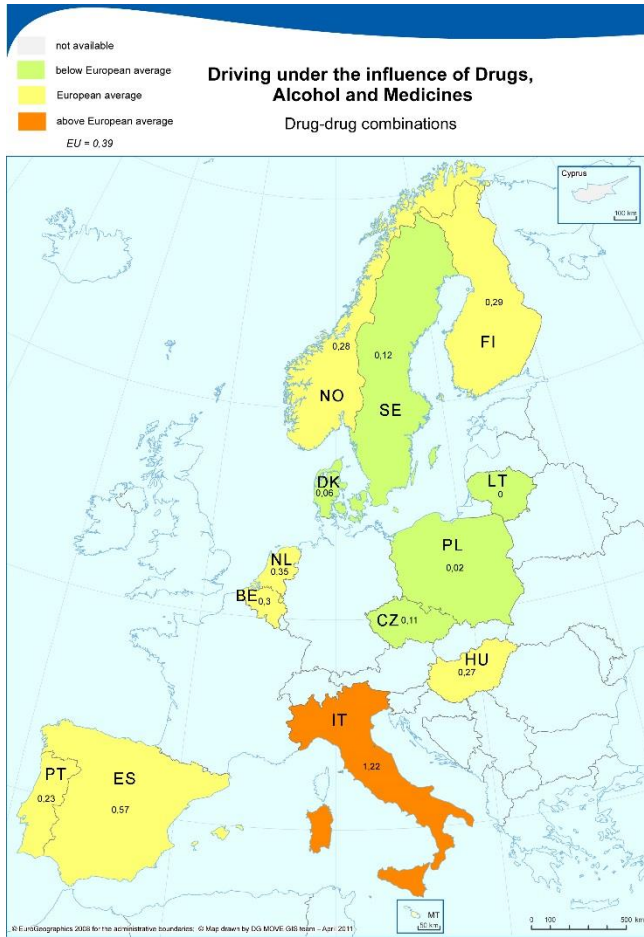
Previous legislative proposals have not been elaborated into legislation. This was mainly due, because of:

- Lack of knowledge on the prevalence and risk of different types of psychoactive substances,
- lack of insight in practical and reliable detection methods.



Between 2005 and 2011 results became available of the European research projects IMMORTAL, ROSITA II and DRUID.

Background



Project No. TREN-05-FP6TR-S07.61320-518404-DRUID

DRUID

Driving under the Influence of Drugs, Alcohol and Medicines

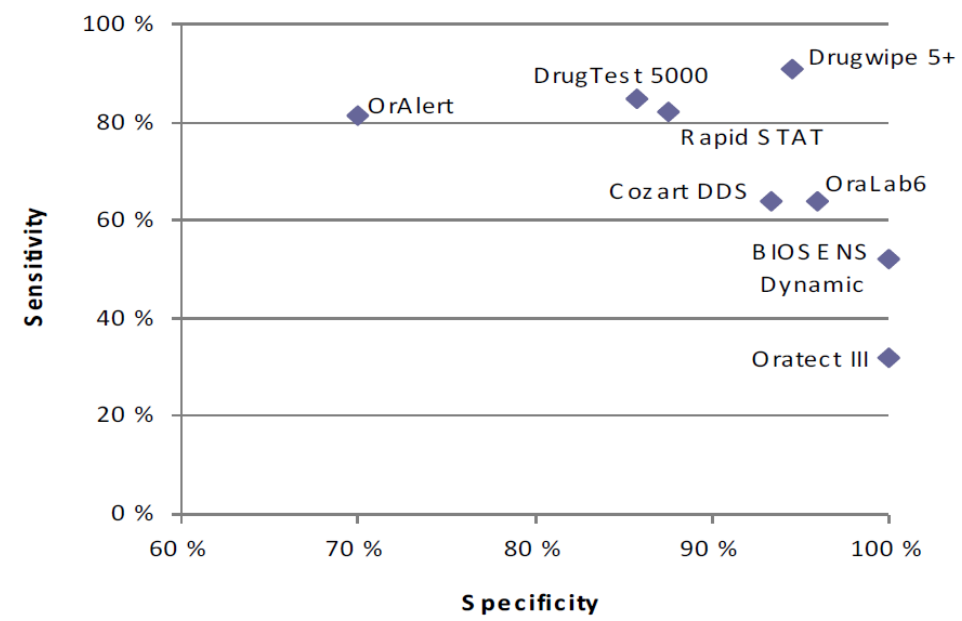
Integrated Project
1.6. Sustainable Development, Global Change and Ecosystem
1.6.2. Sustainable Surface Transport

6th Framework Programme
Deliverable (1.4.1)

Evaluation of legal measures to combat DUI / DUID

Due date of deliverable: (15.01.2011)
Actual submission date: (02.03.2011)

Start date of project: 15.10.2006
Duration: 48 months
Organisation name of lead contractor for this deliverable: LMU
Revision 1.0



Project co-funded by the European Commission within the Sixth Framework Programme (2002-2006)

Dissemination Level	
PU	Public
PP	Restricted to other programme participants (including the Commission Services)
RE	Restricted to a group specified by the consortium (including the Commission Services)
CO	Confidential, only for members of the consortium (including the Commission Services)

The results of these research projects paved the path for the introduction of new drug driving legislation in the Netherlands as from July 1st 2017, including:

- Impairment limits in blood for the most common and risky illicit substances in traffic (THC, amphetamines, cocaine, GHB and heroine);
- Zero-tolerance limits in blood for combined use of illicit drugs and drug-alcohol combinations;
- Oral fluid detection devices (random use allowed, but in practice mainly based on suspicion for efficiency reasons)
- Drug drivers above the legal limit with clinical signs of impairment are also medical psychological assessed for dependency or regular abuse of psychoactive substances.

New drug driving legislation

Main objective:

Decrease drug related road toll by enhancing drug driving enforcement with improved detection methods of drug impaired drivers and setting per se limits



No official evaluation figures available yet, but first impression is that the new drug driving legislation procedure seems to be quite successful in detecting drug impaired drivers:

- More than 4-fold increase of number of blood tests of drivers under suspicion of driving under the influence of drugs;
- Estimated 90% of the analysed blood tests is above the legal limit for one or more illicit substances;
- Relatively often cases with combined drug use.

But we also have some dilemma's left:

What to do with drivers with prescribed medicines who test positive for illicit drugs, but for which we have guidelines that state that users can drive with them under certain conditions? E.g. dexamphetamines

- How to determine whether a positive blood test is the result of the medication?
- How to determine whether the concentration in blood is according to the prescribed dose?

The new drug driving legislation has led to a new and seemingly successful procedure (clinical signs of impairment-oral fluid test-blood analysis) to detect the use of illicit drugs in Dutch traffic.

Issues that we face in practice are solved along the way.



The results of DRUID are already more than 10 years old. We can't keep relying on them when establishing new legislation, new countermeasures, and new policies.

For the future it stays important:

- To monitor the results of drug driving legislation;
- To monitor developments in drug use in traffic (e.g. new types of drugs, prevalence among killed and injured drivers);
- To develop effective prevention strategies against drug use in traffic;
- To invest in research on new detection methods to detect drug use in a fast and reliable way at low costs (make random drug testing possible).

A new EU research project (DRUID 2) could foresee in these research needs.

Thank you for your attention!